### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Confirmation No.:

2672

RECEIVED CENTRAL FAX CENTER

Zohar H. Yakhini et al.

Group Art Unit:

1634

NOV 2 0 2008

Serial No.:

09/938,937

Examiner:

Sisson, Bradley L.

Filed:

August 24, 2001

Docket No.

10003516-1

(50113-1100)

For:

Use of Unstructured Nucleic Acids in Assaying Nucleic Acid Molecules

RESPONSE (WITH AMENDMENTS) AND SUBMISSION UNDER 37 C.F.R. 1.114(c)

Mail Stop – AF Commissioner for Patents Post Office Box 1450 Alexandria, Virginia 22313-1450

Sir:

The outstanding final Office Action mailed *July 19, 2006* (part of Paper No./Mail Date 20060712) has been carefully considered. In response thereto, Applicant submits the attached Request for Continued Examination (RCE), the attached Declarations under 37 C.F.R. 1.132, and the present remarks as a submission under 37 C.F.R. 1.114 to be respectively entered and considered. Reconsideration and allowance of the application and presently pending Claims 10-14 are respectfully requested.

### AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 50-1078.

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**CENTRAL FAX CENTER** 2672

NOV 2 0 2006

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